# ZONING COMMITTEE STAFF REPORT

1. FILE NAME: Little Mekong Night Market

**FILE #** 14-196-994

- 2. APPLICANT: Asian Economic Development Association (AEDA)HEARING DATE: May 8, 2014
- 3. TYPE OF APPLICATION: Conditional Use Permit
- 4. LOCATION: 394 University Ave W, between Western and Arundel
- 5. **PIN & LEGAL DESCRIPTION:** 362923310137, Mackubin And Marshallsadditi Subj To Univ Ave; Vac Alley Accruing And Fol Lot 6 Blk 1 And All Of Lots 1 Thru 5 Blk 1
- 6. PLANNING DISTRICT: 8

PRESENT ZONING: T2

7. **ZONING CODE REFERENCE:** §65.515; §61.501, §61.502

8. STAFF REPORT DATE: April 30, 2014

BY: Hilary Holmes

9. **DATE RECEIVED:** April 22, 2014

60-DAY DEADLINE FOR ACTION: June 16, 2014

- A. **PURPOSE:** Conditional use permit for farmers market
- B. **PARCEL SIZE:** 18,255
- C. **EXISTING LAND USE:** C-Restaurant
- D. SURROUNDING LAND USE:

North:

Commercial

East:

Commercial

South:

Single family residential (across Aurora)

West:

Commercial

- E. **ZONING CODE CITATION:** §65.515 lists standards and conditions that must be met by all farmers markets; §61.501 lists general conditions that must be met by all conditional uses; §61.502 authorizes the planning commission to modify any or all special conditions after making specified findings.
- F. **HISTORY/DISCUSSION:** The Asian Economic Development Association is proposing a night market in the parking lots between 394, 402 and 420 University Avenue West. The applicant has worked with Site Plan Review staff on pedestrian and traffic circulation in and around the market. Per the applicant, vendors will park off-site in a shared parking arrangement with a nearby property owner. Due to limits on seasonal food vendor permits, the market will not be in operation any more than 21 days during one market season.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 8 Council has written a letter of support for this application.

### H. FINDINGS:

- 1. The applicant, Asian Economic Development Association (AEDA), is seeking a conditional use permit to operate a farmers market at 402-422 University Avenue W and 387 Aurora Avenue up to 21 days/year, up to three days/week, between June 1 and November 1, and between the hours of 3:30pm-10:30pm (including a half hour for set-up and teardown). The applicant proposes to have no more than 50 vendors: 40% of vendors will sell products from the farm, 40% will sell prepared foods and 20% will sell arts and crafts. The applicant is also proposing to include live entertainment such as music, dance and theatrical performances at the market.
- 2. §65.515 lists standards and conditions for farmers markets:
  - (a) In residential districts, a farmers market shall be located on a zoning lot at least one (1) acre in area. This property is in a T2 zone. This condition is met.
  - (b) Approval of a site plan showing the number and location of vendors at the site, with contact information for a designated market director responsible for coordinating the market vendors and activities, and for providing the zoning administrator with updated contact information if it changes. The applicant has submitted a site plan for review to DSI. AEDA will be the contact for the market. This finding is met.

Standards and conditions for farmers markets with more than five (5) vendors:

(c) A conditional use permit is required.

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- (d) The use shall be limited to no more than three (3) days per week. The market will not operate more than three days/ week. This condition is met.
- (e) Foods, manufactured goods, wares and merchandise may be sold if approved by the Planning Commission. The applicant is proposing that 40% of vendors would sell products from the farm, 40% would sell prepared foods and 20% would sell local arts and crafts.
- 3. §61.501 lists five standards that all conditional uses must satisfy:
  - a) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. The proposed market complies with applicable area plans. Farmers markets are consistent with Comprehensive Plan Land Use policies to support a mix of land uses (LU 1.24) and vibrant business districts. The Western Station Area Plan (2008) addresses activating street frontage along University Avenue as well as enhancing the pedestrian experience and public realm along the University and Western Avenues. The Station Area Plan addresses support of small businesses which this market use would also support. The Summit-University Plan (2009) includes strategy ED-22 to "foster minority business start-ups, retentions and expansions from within the community to ensure that small businesses are maintained in the neighborhood during and after construction of the Central Corridor light rail project". This condition is met.
  - b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. The applicant has provided a site plan to DSI staff. The market will be accessible by pedestrians via the sidewalk on University Avenue through two curb cuts that lead into the parking lot area. These curb cuts will be closed off to vehicles temporarily during market operation. The market crosses a public alley (running east-west through the block). This alley can be accessed by vehicles from Western Avenue or Arundel Street, maintaining vehicular access to surface parking adjacent to the market site for the other properties on the block. The market would temporarily block full alley access through the market, with turnaround space provided for vehicles in the remaining parking areas. This condition is met.
  - c) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. The market use would support the existing character of the neighborhood and would not endanger the public health, safety and general welfare. This condition is met.
  - d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. The market is seasonal and limited to three days per week; it is not a permanent development and therefore will not impede the development and improvement of the surrounding property. The market tables, stands and associated equipment will be removed off site after hours of operation. Trash collection and sanitation will be observed on site. This condition is met.
  - e) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. The farmers market is an allowed use in T2. This condition is met.
- STAFF RECOMMENDATION: Based on the above findings, staff recommends approval of the Conditional use permit for farmers market including products of the farm prepared foods and arts and crafts subject to the following additional condition(s):
  - 1. At least 40% of the vendors shall be farmers selling products if their farms, no more than 40% shall be selling prepared foods and
  - 2. Vendors must follow all licensing and health codes established by the City of Saint Paul.
  - 3. Any proposed live entertainment shall conform with the city noise ordinance and is subject to any other city permits required.
  - 4. There will be adequate trash collection and sanitation facilities provided and there will be no equipment or debris left on site.

# CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development Zoning Section 1400 City Hall Annex 25 West Fourth Street Saint Paul, MN 55102-1634 (651) 266-6589

Zoning office use only File # 14 - 196 90 Fee: Tentative Hearing Date:

8= Dq

	#362923310137
5	Name Asian Economic Development Association (AEDA)
	Address 377 W University Ave W, Ste D
APPLICANT	City Saint Paul St. MN Zip 55103 Daytime Phone 651.222.7798
	Name of Owner (if different) LONG CHENG PLAZA LLC & COAST TO COAST INVESTMENT CORP.
	Contact Person (if different) Kia Moua Kehrer Phone 651.895.7115
PROPERTY LOCATION	Address / Location -Please see attached-
	Legal DescriptionPlease see attached-
	Current Zoning(attach additional sheet if necessary)
TYPE OF PERMIT	: Application is hereby made for a Conditional Use Permit under provisions of  Chapter 5, Section 5, Paragraph of the Zoning Code.
SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.	
-Please see a	attached-
	CK 2194 8000
☑ Required site	plan is attached
Applicant's Signat	ure Klankehver Date 4/7/14 City Agent Pdo



### **Conditional Use Permit**

Name: Asian Economic Development Association / Little Mekong Night Market

Address: 377 University Avenue Suite D

St. Paul MN 55103 651-222-7798

Contact Person: Kia Kehrer, Little Mekong Special Projects Manager, kia@aeda-mn.org

Property Location: 394 University Ave W

MACKUBIN AND MARSHALL'S ADDITION TO ST. PAUL SUBJ TO UNIV AVE; VAC ALLEY ACCRUING AND FOL LOT

6 BLK 1 AND ALL OF LOTS 1 THRU 5 BLK 1

Current Zoning - T2

Request – Current Use: Vacant building and parking lot

**Proposed Use** – Farmer's Market

# Description of the proposed use:

The applicant, Asian Economic Development Association (AEDA), intends to run an outdoor seasonal farmers market in the Little Mekong District. This will occur up to 21 days a year, up to three day a week, between the dates of June 1 and November 1 and between the hours of 11 AM and 10 PM. An initiative of AEDA, Little Mekong's mission is to develop the area around University Avenue and Western as an attractive destination for visitors and residents; to support and promote small businesses; to share cultural traditions and activities; and to create a world-class, living, breathing, colorful district for all to enjoy.

This market will have slots for up to 50 vendors that consist of farmers and farm products, food, and local fine arts and crafts. We anticipate 40% food vendors, 40% farmers, and 20% arts and crafts vendors. Though the idea stems from Southeast Asian night markets, the Little Mekong Night Market will be open to vendors from all communities, with a focus on local artists, farmers, and vendors. We believe the night market will improve the pedestrian environment of the district and create opportunities for growth and development.

The food vendor offerings will range from Asian, American, and Latino to fusion inspired foods. Some examples of food items are bakery, rice cakes, papaya salad, eggrolls, tacos, burritos, fried rice, bubble teas, sesame balls, and snowcones. The types of products that local crafters and artists will be selling are handmade items such as clothing, accessories, paintings, photographs, greeting cards, woodwork, and ceramics. We do not anticipate any manufactured products being offered at the night market.

The Night Market will also include AEDA's Arts and Culture Initiative. This invites local artists to activate the space through family friendly activities, interactive art pieces, and other projects. There will be entertainment such as live music, poetry readings, dance, or an open mic night.



## **Supporting Information**

The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.

This use is supported by the city's comprehensive plans and is in keeping with the principles of transitoriented development. Outdoor Neighborhood Farmer's Markets are pedestrian-oriented. They increase foot traffic and a street culture. From the Central Corridor Development Strategy (2007, p. 92)

Public Transit - A Viable and Attractive Alternative to the Private Automobile

• integrate transit stops with pedestrian, cycling movements; and align traffic engineering and street design decisions to give primacy to the pedestrian; provide safe and easy crossings to stations

Also from the Central Corridor Development Strategy (2007, p. 94)

Minority business development

- Expand and create programs that support development of new small, locally owned minority business within new developments along the Corridor.
- Include business incubators, cooperative enterprises and entrepreneur support services for new business development opportunities.

The Summit-University Plan (2009) includes strategy ED-22 to "foster minority business start-ups, retentions and expansions from within the community to ensure that small businesses are maintained in the neighborhood during and after construction of the Central Corridor light rail project".

This use is supported by the Western Station Area Plan. (2010, p. 27)

4.1.2 Land Use & Development Pattern

The neighborhood "main street" should have many uses

A greater mix and integration of uses should be encouraged along the Avenue where they afford an
easy connection to public transit, and benefit from the visibility and profile of being located on a
major transportation corridor

Increased foot traffic in the station area will be captured by the outdoor neighborhood farmer's market during the season. We are supporting smaller public gathering spaces, open-space connections, and venues for public art. We are in the Mobility Enhancement Zone, an area of high-pedestrian activity. Local artists will be part of the plan, creating engaging and interactive art. By creating a semi-public square with community vendors and art, we are placemaking.

# The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.

This condition is met. Vehicular access to the site is through the two entrances to the alley, one on Western and one on Arundel. Vehicular access to the site from University Avenue will be closed during the market; closing two curb cuts for pedestrian safety. The alley right of way will be kept open to facilitate off street parking and loading. Pedestrian access comes from University, Western, and Arundel. The intersection of Western and Aurora is a designated East-West bike/pedestrian crossing. With the market operating in the area indicated on the site plan, both vehicles and increased pedestrian traffic will be safely supported.



The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.

This condition will be met. The applicant will ensure adequate trash facilities and cleanup. We will have six trash bins and two standard and one handicapped portapotties. Handwashing stations will also be provided. We will require all vendors to meet all health department, food handling, and fire and safety codes. The use is consistent with the Traditional Neighborhood zoning and transit-oriented development principles. This will not be detrimental to the immediate neighborhood and will provide additional access to healthy foods, local crafts, and will increase nighttime safety.

The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

This condition is met. The Night Market will be located in a station area for the University Ave/Green Line light rail. This is a commercial corridor intended for mixed uses. The hours of operation and days of operation are consistent with adjacent commercial uses.

The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

This condition is met. Regarding Section 65.515 of the zoning code, adopted in 2013, this market fits the description and intent of a farmer's market; an outdoor market at a fixed location consisting primarily of farmers and gardeners for the purpose of selling the products of their farm or forest directly to the public. We are not in a residential zone so we do not need to have a lot size of over 1 acre. We have submitted a site plan showing the number and location of vendors at the site and including contact information for our designated market director. We are applying for this conditional use permit, and are limited to three days a week. We intend to sell foods and other wares, and this application lists those wares in more detail. This sale of additional merchandise requires approval of the Planning Commission, which we are seeking. This use will not conflict with vehicular and pedestrian flow. 2010 zoning amendments lifted the off-street parking requirements for parcels within ¼ mile of University Avenue. The site plan allows for both Mai Village and the International Plaza building to maintain parking directly behind their facilities. Vendors will park off-site.



# SUMMIT-UNIVERSITY PLANNING COUNCIL

2013-2014 Board of Directors

April 24, 2014

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Hilary Holmes – City Planner
Planning and Economic Development
25 W. 4th Street, Suite 1300
Saint Paul, MN 55102

Hello Hilary:

The Summit University Planning Council met on Tuesday April 22, 2014, where the Asian Economic Development Association (AEDA) came and presented to our group about the Little Mekong Night Market initiative and the conditional use permit they have submitted to the City of St Paul.

The board is excited about AEDA's continuing commitment to support University Avenue businesses and residents. We are in strong support of AEDA's efforts in regards to the Little Mekong Night Market because we believe the work to be in line with two important goals the planning council has for the University Avenue Business District section of District 8: 1) the Night Market offers safe, fun, family friendly, community activity into the evening hours, and 2) the Night Market will offer a destination style venue that will attract people from outside of our district, it will encourage people to consider University Avenue as more just than part of their commute. Additionally the board appreciates that Little Mekong Night Market offers local micro-business persons an opportunity to vend their goods for a very reasonable fee.

The board voted on April 22<sup>nd</sup> to support all of AEDA's efforts with the Little Mekong Night Market. Please accept this letter supporting the granting of a conditional use permit for the Little Mekong Night Market as recently proposed and submitted by the Asian Economic Development Association.

I can be reached for questions or concerns at sara@summit-u.com

Thank you for your time and consideration,

Sara K Udvig Executive Director

Summit University Planning Council





















